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†ADMITTED ONLY IN CALIFORNIA

H. ROSS WORKMAN  
OF COUNSELPATENT APPLICATION  
Docket No. 13914.579.1

PATENT  
 TRADEMARK  
 COPYRIGHT  
 TRADE SECRETS  
 UNFAIR COMPETITION  
 LICENSING  
 COMPLEX LITIGATION

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Watterson et al.

Serial No.: 09/641,627

Art Unit  
3764

Filed: August 18, 2000

For: SYSTEM FOR INTERACTION WITH  
EXERCISE DEVICE

BOX: MISSING PARTS

Assistant Commissioner for Patents  
 Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application mailed October 12, 2000, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- A joint signature Declaration, Power of Attorney and Petition executed by Scott R. Watterson, William T. Dalebout and Darren C. Ashby and comprising 3 (three) pages.
- An Assignment conveying the invention to Icon Health and Fitness, Inc., including a Form PTO-1595 recordation cover sheet comprising 6 (six) pages.
- A copy of the Notice to File Missing Parts of Application - Filing Date Granted.
- Priority to United States Patent Application Serial Nos. 09/349,608 filed on July 8, 1999 and 09/496,560 filed February 2, 2000 is claimed under 35 U.S.C. § 120.

Priority to \_\_\_\_\_ (country) Application Serial No. 09/641,627 filed on August 18, 2000 is claimed under 35 U.S.C. § 119.

A certified copy of the above priority application is filed in prior application Serial No.09/641,627, filed August 18, 2000.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE(x)	FEE	RATE(x)	FEE
BASIC FEE				\$345.00		\$710.00
TOT. CLAIMS	84 - 20	64	\$9.00	\$576.00	\$18.00	\$1152.00
IND. CLAIMS	5 - 3	2	\$40.00	\$80.00	\$80.00	\$160.00
MULTIPLE DEPENDENT CLAIM		0	\$135.00	\$0.00	\$270.00	\$0.00
			TOTAL	\$ 0.00	TOTAL	\$2,022.00

Check No. 118915 in the amount of \$2,192.00 is enclosed to cover.

- The \$2,022.00 government filing fee.
- The \$ 40.00 recordation fee of the enclosed assignment
- The \$ 130.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

- Any additional filing fees required under 37 C.F.R. § 1.16.
- Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

- Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.
- Any patent application processing fees under 37 C.F.R. § 1.17.

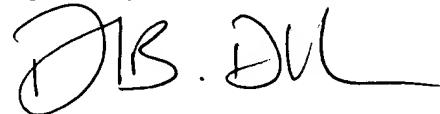
The issue fee set forth in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).

- A Certificate of Express Mailing by use of Express Mail Label No. EL 661 549  
217 US
- An Associate Power of Attorney.
- A duplicate copy of this letter.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 11th day of December, 2000.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166



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PATENT TRADEMARK OFFICE

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12-12-09

SECTOR \$  
PATENT APPLICATION  
Docket No. 13914.579.1 #3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Watterson et al.

Serial No.:

09/641,627

Filed:

August 18, 2000

For:

SYSTEM FOR INTERACTION WITH  
EXERCISE DEVICE{  
}  
Art Unit  
3764  
}  
}

Express Mail Label No. EL 661 549 217 US

Date of Deposit: December 11th, 2000.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to: BOX: MISSING PARTS, Assistant Commissioner for Patents, Washington, DC 20231:

- Declaration, Power of Attorney and Petition (3 (three) pp.)
- An Assignment (6 (six) pp.)
- A copy of the Notice to File Missing Parts of Application - Filing Date Granted
- Transmittal Letter (3 pages)
- Check No. 118915 for \$2,192.00
- Certificate of Express Mailing Label No. EL 661 549 217 US
- Postcard

Dated this 11th day of December, 2000.

Respectfully submitted,

Emily Megham, Assistant to  
David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166



022913

PATENT TRADEMARK OFFICE

DBD:em

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## UNITED STATES PATENT AND TRADEMARK OFFICE

#3

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/641,627	08/18/2000	Scott R. Watterson	13914.579.1

022913

WORKMAN NYDEGGER & SEELEY  
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SALT LAKE CITY, UT 84111



## FORMALITIES LETTER



\*OC000000005468191\*

DOCKETED  
BY SS ON 10-18-00  
RESPONSE DUE 12-17-00

Date Mailed: 10/12/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$ 1604. HLUANG 0000002 233178 09641627
  - \$1188 for 66 total claims over 20. 01 FC:103 36.00 CH
  - \$156 for 2 independent claims over 3. 02 FC:104 270.00 CH
  - \$260 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2424.

1152.00
160.00
130.00
710.00
36.00
270.00
01 FC:103
02 FC:104
01 FC:103

12/14/2000 HLUANG1 00000101 09641627

02 FC:101
03 FC:102
03 FC:103

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE